

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 7602

Petition of Lynn Bottum vs. Central Vermont Public     )  
Service Corporation in re: dispute concerning meter     )  
readings and billing     )

Order entered: 2/1/2011

**ORDER CLOSING DOCKET**

**HEARING OFFICER REPORT AND RECOMMENDATION**

This proceeding arose from a petition filed by Lynn Bottum on August 7, 2008, in connection with a dispute with Central Vermont Public Service Corporation ("CVPS") over meter readings and a billing plan at a residence in New Haven, Vermont.

In October, 2008, a Hearing Officer of the Public Service Board ("Board") requested Mr. Bottum to file copies of his CVPS electric bills covering the period of dispute.<sup>1</sup> On July 20, 2009, Mr. Bottum filed copies of his CVPS electric bills covering a period from July, 2006, to February, 2009.

Given the passage of time since the July 20 filing, on March 17, 2010, the Clerk of the Board issued a memorandum asking the parties to file comments addressing whether any of the issues in the docket have been resolved and the status of any remaining issues. The March 17 memorandum stated that, if issues remain, a hearing would be scheduled.

On April 28, 2010, CVPS filed a letter requesting additional time for settlement efforts. In an April 30, 2010, memorandum, the Hearing Officer granted the proposed additional time for settlement efforts.

On June 3, 2010, CVPS filed a letter describing its settlement proposal. CVPS stated that it has presented this proposal to Mr. Bottum and represented that Mr. Bottum believed that this proposal should resolve his issues, but requested the right to comment to the Board upon

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1. The undersigned Hearing Officer was assigned, in March, 2010, to replace the previous Hearing Officer.

submission of the proposal. As part of the settlement, CVPS proposed to conduct a meter test on the meter(s) at Mr. Bottum's residence at a time when he could observe the test.

In a June 4, 2010, memorandum, the Hearing Officer requested parties to comment on the settlement proposal. In the June 4 memorandum, the Hearing Officer also requested that if Mr. Bottum accepts CVPS's settlement proposal, parties should file a status report with the Board, by July 30, 2010, describing the results of any meter test, indicating the status of any remaining issues, and providing recommendations for resolution of any remaining issues. The Board received no comments or a status report.

Given the lack of response by the parties, in an October 29, 2010, memorandum, the Hearing Officer requested parties to submit proposals on how to proceed in this docket.

On November 10, 2010, CVPS filed a letter indicating that, upon receipt of the Board's October 29 memorandum, CVPS again contacted Mr. Bottum to discuss his position on the settlement proposal and the Board's request for a recommendation on next steps for the docket. CVPS stated that it is its understanding that Mr. Bottum does not dispute any current bill and that back due amounts for service taken are not currently due or outstanding. CVPS recommended, given that there is not currently a dispute as to service provided by CVPS, that the docket be closed without further action or procedure.

On November 12, 2010, Mr. Bottum filed a letter with the Board indicating that he had responded to the Board's previous request, and at that time suggested that "CVPS could, on a handshake, simply exchange the electric meter and give me a different one." Mr. Bottum further stated that his current electric bills "are quite reasonable and perhaps everything is all straightened out."

It appears that parties in the case have resolved the remaining issues, and that no further Board action is required. I therefore recommend that the Board close this docket. Given that Mr. Bottum did not specifically request closing the docket, I am providing parties with an opportunity to comment on my report and recommendation.

Dated at Montpelier, Vermont, this 25<sup>th</sup> day of January, 2011.

s/ Mary Jo Krolewski  
Mary Jo Krolewski, Hearing Officer

**BOARD DISCUSSION**

Pursuant to 3 V.S.A. § 811, the Hearing Officer's Report and Recommendation was circulated to the parties for their review and comment. On January 3, 2011, CVPS filed comments supporting the Hearing Officer's recommendation that this Docket be closed. No comments were received from Mr. Bottum. Accordingly, we accept the Report and Recommendation and close this Docket.

**ORDER**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that:

1. The Report and Recommendation of the Hearing Officer is accepted.
2. This Docket shall be closed.

Dated at Montpelier, Vermont, this 1<sup>st</sup> day of February, 2011.

<u>s/ James Volz</u>	)	
	)	
	)	
<u>s/ David C. Coen</u>	)	
	)	
	)	
<u>s/ John D. Burke</u>	)	

PUBLIC SERVICE  
BOARD  
OF VERMONT

OFFICE OF THE CLERK

FILED: February 1, 2011

ATTEST: s/ Judith C. Whitney  
Deputy Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)*

*Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.*